

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
v.) CRIMINAL NO. 12-40064-TSH
)
)
GEOFFREY PORTWAY)

JOINT MEMORANDUM PURSUANT TO LOCAL RULE 116.5(C)

The United States of America and defendant submit this joint memorandum addressing the issues set forth in Local Rule 116.5(C)(1) through (9).

(C)(1-2): There are no outstanding discovery issues and no further discovery is anticipated at this time.

(C)(3): Defendant does not intend at this time to raise a defense of insanity or public authority.

(C)(4): The government has requested notice of an alibi defense but the defendant has provided no such notice.

(C)(5): Defendant does not intend at this time to file any motions to sever, dismiss, or suppress.

(C)(6-7): The parties are finalizing a resolution of this matter, and ask that the District Court schedule a Rule 11 hearing at its earliest possible convenience.

(C)(8): The parties ask that the period of time from the last status conference until the time of a Rule 11 hearing be excluded under the Speedy Trial Act. Specifically, the interests of justice are served by not requiring the parties to proceed

with a superseding indictment, motions and trial in the interim period until the requested Rule 11 hearing. These are all rendered moot by the anticipated guilty plea and, therefore, tolling the speedy trial act pending that Rule 11 hearing will allow the parties to conserve valuable court and juror time.

(C)(9): A trial on the current indictment would require five days.

United States Attorney

By his attorney,

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